

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF MICHIGAN

DAVID GEORGE SWEIGERT

Plaintiff,

vs.

MULTIMEDIA SYSTEM DESIGN, INC.
D/B/A

CROWDSOURCE THE TRUTH

ODYSEE HOLDINGS, INC.

LBRY, INC.

Defendants

Case 2:22-cv-10642-GAD-EAS

**MOTION TO SUBSTITUTE REAL
PARTY AT INTEREST AND SET ASIDE
DEFAULT FOR IMPROPER SERVICE**

Jason Goodman by and for himself pro se (“Goodman”) comes now to move this honorable court to substitute Goodman in place of Multimedia System Design, Inc. D.B.A. Crowdsourcing the Truth as the real party at interest and set aside the default for improper service of process and for additional reasons as further stated below.

PRELIMINARY STATEMENT

This Court is familiar with Plaintiff David George Sweigert (“Sweigert”). Goodman presented evidence in a procedurally defective Amicus Curiae brief which alleged Sweigert participated in an effort to cause forged documents to be filed in this Court. *See* Sweigert v Cable News Network Case 2:20-cv-12933-GAD-KGA Dkt No. 55.

In unrelated litigation, on March 23, 2022, U.S. District Court Judge Valerie Caproni informed the Plaintiff that his “judicial gamesmanship” would not be tolerated. *See*

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1 Sweigert v Goodman SDNY 1:18-cv-08653-VEC-SDA Dkt. No. 383. Despite this
2 admonishment, Sweigert's judicial gamesmanship continues with this vexatious action.

3
4 Sweigert has vowed to sue Goodman for the rest of his life and has spent the
5 past five years demonstrating his commitment to that promise. Sweigert has made public
6 statements against his own interest about his family history of medically diagnosed and
7 pharmaceutically treated schizophrenia. These statements, coupled with his obsessive
8 harassment of Goodman, cause Goodman to believe he is mentally ill. Goodman has
9 attempted to present evidence of the statements in court and Sweigert has gone to
10 extraordinary lengths to destroy the evidence. These evidentiary videos are solely for
11 legitimate court purposes and considered a fair use under the Digital Millennium Copyright
12 Act. Sweigert's efforts to suppress the evidence should be regarded as spoliation and should
13 be accompanied by a presumption of guilt. Sweigert's legal threats to Odysee and other
14 platforms have succeeded in removing evidence, forcing Goodman to repeatedly find new
15 ways to preserve it.

16
17
18 (https://vk.com/video/@id731682021?z=video731682021_456239020%2Fpl_731682021_-

19 2). This instant action is merely the latest attempt to obfuscate evidence that supports
20 allegations of criminal activity including forgery and fraud on this very court. The default
21 should be set aside, and defendant should be substituted for the real party at interest.
22

23 **IMPROPER SERVICE OF PROCESS**

24
25 The named defendant "Multimedia System Design, Inc. D.B.A.
26 Crowdsourcing the Truth" is a non-existent, fabricated entity imagined by the Plaintiff.
27

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1 Goodman is the owner of a corporation of a different name, but the corporation has no
2 ownership of Goodman's intellectual property and no ownership of or claim to anything in
3 controversy in this action. To the extent that any cognizable claim exists, Goodman is the
4 proper defendant and should be substituted as the real party at interest.
5

6 Even if the Court finds a non-existent corporate entity to be a viable
7 defendant, there is no corporation owned by Goodman or any other party that has any control
8 over content posted on the internet by Goodman. 47 U.S.C § 230 expressly indemnifies any
9 provider or user of an interactive computer service from being treated as the publisher or
10 speaker of any information provided by another information content provider. No
11 corporation could be sued for material allegedly published by Goodman, even if Goodman
12 were an employee of that corporation.
13
14

15 Even if the Court finds that the non-existent, fabricated entity could be a
16 defendant, and could be sued for content published by Goodman, no business has ever been
17 transacted in a retail or office setting at the residential apartment address upon which the
18 summons was served to building employees causing confusion and preventing proper service.
19 Fed R. Civ P. Rule 55(c) states "The court may set aside an entry of default for good cause".
20 This default should be set aside due to improper service of process and because it was
21 fomented by the very judicial gamesmanship Sweigert has been warned against engaging in.
22
23

24 CONCLUSION

25 For the reasons stated herein, the default should be set aside, and Goodman
26 should be substituted as the real party at interest.
27

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Signed this 12th day of July 2022

Respectfully submitted,



Jason Goodman, Pro Se
252 7th Avenue Apt 6s
New York, NY 10001
(323) 744-7594

truth@crowdsourcethetruth.org

CERTIFICATE OF SERVICE

I, hereby certify, under penalties of perjury, that a true copy of the accompanying document has been filed electronically via the Pro Se Electronic Filing website and served upon the parties below via email on July 12, 2022.

David George Sweigert spoliation-notice@mailbox.org

ODYSEE HOLDINGS, INC. julian@odysee.com

LBRY, INC. josh@lbry.io

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